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C O N F I D E N T I A L CARACAS 000890

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SUBJECT: DUELING CLAIMS OF HUMAN RIGHTS VIOLATIONS

REF: CARACAS 00620

Classified By: POLITICAL COUNSELOR ABELARDO A. ARIAS FOR REASONS 1.4 (B)
) AND (D)

SUMMARY

11. (C) Nearly a dozen Venezuelans died, 1,758 were wounded or injured, and 410 were detained during disturbances in the country from February 27 to March 5, according to the opposition Democratic Coordinating Committee (DCC). Amid the claims of government human rights abuses, the GOV has mounted its own campaign, highlighting injuries among the security forces and blaming the opposition itself for the alleged rights abuses. Human rights organizations acknowledge certain governmental actions that assist victims, but they maintain nevertheless that the GOV bears the greater responsibility for human rights abuses. End Summary.

ADDING UP THE VICTIMS

12. (U) Nearly a dozen Venezuelans died, 1,758 were wounded or injured, and 410 were detained during disturbances in the country from February 27 to March 5, according to a March 9 statement from the broad opposition umbrella group Democratic Coordinating Committee (DCC). In addition, DCC spokesman Jesus Torrealba claimed March 9 that eight anti-GOV protesters are unaccounted for (Note: one has been accounted for since then), and that there are nine accusations against security forces of torture and use of excessive force, especially by the National Guard (GN). Human rights NGO PROVEA verified 9 dead and 103 "deprivations of personal integrity," a catch-all description that includes injuries, detentions, and torture. Opposition London-based NGO Pro-Venezuela Organization (ProVeO) listed 12 dead, 8 missing, and 180 political prisoners as of March 11 on their Web site (www.proveo.org).

PRO-GOV CIVILIAN GROUPS ACCUSED

13. (C) Torrealba asserted that the political police (DISIP) and "armed irregulars" participated in the alleged March 3 killing of Jose Luis Ricaurte Blanco. Merida student leader Nixon Moreno told poloff March 11 that Argenis Dugarte was killed by members of the pro-Chavez student group Utopia on March 2 and that pro-Chavez groups attacked several students and opposition groups March 3, including an armed assault on the student government headquarters (ref b). Merida's student government reported the student medical clinic treated 22 protest-related injuries March 3 and 4.

TRYING TO FIND THE TRUTH

14. (C) Human rights NGOs are gathering information on alleged human rights violations through personal and phone interviews primarily. Marino Alvarado, NGO PROVEA's Human Rights Education Coordinator, told poloff March 11 that human rights NGOs are reluctant to comment on exact numbers until they verify the cases reported to them and release formal reports -- a process that would not be completed any time soon. Carlos Correa, PROVEA's General Coordinator, told poloff March 8 that PROVEA also gathers information from official sources, the media, and other human rights organizations and then compares those numbers with its own.

15. (C) Correa remarked that convincing people to make official complaints with the authorities has been particularly difficult, and that the lack of an official complaint limits the range of actions the NGO can take. Alvarado added that many victims wish to remain anonymous due to reprisal fears, creating a dilemma for the NGO that must choose to include them in their report with annotations, report them separately, or reject them altogether. Un Solo

Pueblo Media Director Adriana Sanoja told poloff March 10 she

knows of two attacks unreported to government or NGOs that occurred near the party headquarters. She claimed local police assisting a pro-Chavez group in an attack on an opposition barricade shot a woman in the head, grazing but not penetrating the skull. Pro-Chavez neighbors warned the wounded woman not report the incident and destroyed a visiting friend's car to drive the point home, according to Sanoja. Alvarado said PROVEA was having particular trouble tracking prisoners because of releases and new cases, something he suspected accounts for apparently overstated numbers in media reports. However, Alvarado cautioned against "obsessing over the numbers" when the GOV's use of violent repression was clear.

16. (C) Jose Gregorio Guarenas, Director of the Catholic Church's Human Rights Office (Vicaria), told poloff March 10 that his staff gathers documentation of the alleged violation, such as medical reports, pictures of injuries, and witness statements. The staff member then accompanies the alleged victim to the Attorney General's Office to file the complaint, supported by the documentation. According to Guarenas, the Vicaria works closely with COFAVIC, another human rights NGO.

17. (C) Guarenas and Correa both acknowledged the importance of making the official complaint, and Guarenas thought it was a good sign that Attorney General Isaias Rodriguez had announced the opening of investigations into 11 torture cases. Guarenas told poloff, however, that the Attorney General's Office was clearly acting on behalf of the GOV when it released ballistics results on the Jose Vilas shooting without first informing his family. Guarenas also asserted that GN officers were definitely the shooters in the Vilas case, based on witness and video evidence.

18. (U) Carlos Nieto, General Coordinator of the prison watchdog group "A Window to Liberty" said in a March 10 press statement that nine detainees in La Planta prison were being treated well and were being kept in an area away from the general prison population. However, based on his interviews of the detainees, Nieto said they had been "savagely and inhumanely tortured by the National Guard" before being transferred to the prison.

SELLING THE IMAGE: FULL COURT PRESS

19. (U) Amid the allegations of human rights abuses, the GOV has mounted its own campaign, not only to blame the opposition for injuries among the security forces, but also for the alleged abuses suffered by the opposition. One day after the March 1 shooting of opposition protester Jose Vilas, the Attorney General's Office released ballistics results purporting to prove that the GN could not have shot the protester, though eye witnesses disagree. Interior and Justice Minister Lucas Rincon and Scientific and Investigative Police (CICPC) Chief Commissioner Marcos Chavez said in a March 9 joint press conference that none of the deaths since February 27 can be attributed to the GN, claiming that the type of bullet, weapon, or both are not GN standard issue. Information and Communication Minister Jesse Chacon charged that the private media instigated the violence.

110. (C) Alejandro Carrillo, Director of Inter-Institutional Affairs for the Ombudsman, told poloff March 9 that the opposition has been engaging in violence since February 27, which gives the GOV the right and duty to respond with force. Carrillo claimed the Ombudsman has pictures of demonstrators carrying guns and molotov cocktails during the February 27 march to the G-15 meeting and asserted that burning garbage in the streets is "a type of violence." "The National Guard," he said, "is permitted by law to respond to any violent demonstration with tear gas and plastic bullets," and he denied that the GN had used metal bullets or other excessive force.

111. (C) After asserting that the GOV has the right to defend itself against a violent opposition, Carillo then admitted to poloff that the Ombudsman couldn't really say with certainty that opposition marchers had instigated violence. He said

the opposition paid contract killers (sicarios) to shoot demonstrators and create "chaos and anarchy" but offered no proof. He declined to comment on opposition allegations of torture and arrest without due process, saying only that they are criminal matters under the Attorney General's jurisdiction. The Ombudsman's only role in such matters, he explained, is to take statements from the alleged victims and pass them to the Attorney General.

COMMENT

12. (C) The magnitude and credibility of witnessQnd video accounts of human rights abuses contrasts sharply with the GOV's attempt to blame the opposition for its own violent acts. Alvarado's point is well taken: we should not allow ourselves to become overly preoccupied with bean counting or allow lack of firm statistical data to prevent us from recognizing the obvious. The GOV started crossing a discernible line between applying legitimate and appropriate force in crowd control and indiscriminately attacking protesters on February 27 and sprinted past it in the ensuing days.

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